MYSORE ACT No. VI OF 1917.

THE DESTRUCTIVE INSECTS AND PESTS ACT, 1917.

(AS AMENDED BY ACT V OF 1944.)

(Received the assent of His Highness the Maharaja on the 9th day of October 1917).

An Act to prevent the spreading of Plant Disease.

WHEREAS it is expedient to make provision for preventing the spreading of plant disease [1][or noxious weeds], His Highness the Maharaja is pleased to enact as follows :—

Short title, extent and commencement.

1. This Act may be called the Destructive Insects and Pests Act, 1917.

It shall extend to the [2][whole of the State of Mysore except Bellary District] and it shall come into force at once.

Definition.

2. In this Act, unless there is anything repugnant in the subject or context—

(*a*) " crops " includes all agricultural or horticultural crops, trees or bushes or herbs, the fruit or any other part of which is used for food of man or beast or for any purpose in connection with art or manufactures ;

(*b*) " notified area " means any specified area or locality declared by Government to be infected with a plant disease under section 3 ;

(*c*) " plant disease " includes any disease affecting trees, plants, vegetables and crops caused by or consisting of the presence of any insect or fungus and any other disease affecting trees, plants, vegetables or crops which the Government may, from time to time, by a notification in the official Gazette, declare to be a plant disease within the meaning of the Act and whether or not caused by or consisting of the presence of any insect or fungus ;

1. Added by Act V of 1944.
2. *See* the Mysore Adaptation of Laws Order, 1953.

Noxious weed.

[1][(*d*) " noxious weed " means such weed, plant or root-parasite as the Government or an authority empowered may, by notification under section IV,[2] declare to be a " noxious weed "].

Power to declare infected area and crop.

3. Government may, by notification in the official Gazette, declare any specified area or locality within [3][the State of Mysore except Bellary District] to be a place infected with a plant disease in respect of any specified crop during a period to be fixed in such notification.

Power of Government to make rules.

4. Government may, by notification in the official Gazette, make rules or orders for all or any of the following :—

(*a*) for the seizure, inspection, disinfection or destruction of any crops in respect of which a notification has been issued under section 3 or of any article which may have been in contact or proximity thereto, and for regulating the powers and duties of the officers whom it may appoint in this behalf ;

(*b*) for prescribing or regulating the treatment, removal, uprooting, destruction or disposal of crops within a notified area and for providing for payment of compensation in proper cases ;

(*c*) for prescribing and regulating the cleansing and disinfecting of infected places or areas or parts thereof ;

(*d*) for prescribing the period within which it shall not be lawful to plant or re-plant with any crop whatsoever or with any particular kind of crop the whole or any portion of a notified area ;

(*e*) for prohibiting or regulating the movement temporarily of crops, earth, soil, manure or other things into or out of a notified area ; and

(*f*) generally for the preventing in any manner of the spread within the State of any plant disease.

Power to direct measures to eradicate noxious weeds.

[4][**5.** Whenever it appears to the Government or to such authority as may be empowered by it in this behalf, that in any specified area any weed is injurious to crops or

1. Added by Act V of 1944.
2. ' Sic : " should be " section 5 " . The reference has not been properly given by inadvertence, in Act V of 1944.
3. See the Mysore Adaptation of Laws Order, 1953.
4. Inserted by Act V of 1944.

plants or trees or may render land unfit for cultivation, it may, by notification in the official Gazette—

(1) declare that such weed is a noxious weed and specify the area within which such a declaration shall be in force;

(2) direct the carrying of any measure including the inspection, seizure, removal, uprooting, destruction or disposal of such a noxious weed as the Government or the authority empowered, as the case may be, may consider necessary in order to eradicate the weed or prevent its spread or reappearance.]

Penalty.

[1]6. For every breach of a rule or order made under this Act the offender on conviction by a Magistrate shall be liable to a fine not exceeding rupees five hundred:

Provided it shall be within the discretion of the Magistrate to discharge the offender with a warning in the case of a first offence.

No suit, prosecution, etc., against a person acting in good faith under this Act.

[1]7. No suit, prosecution or other legal proceeding shall lie against any person for anything, in good faith, done or intended to be done under this Act.

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1. Sections 5 and 6 renumbered as sections 6 and 7, by Act V of 1944.